

IN THE CLAIMS:

Please cancel the previous version of claim 8 and rewrite claim 8 as follows.

(Pursuant to 37 C.F.R. § 1.121, the following is a clean copy of the amended claim. A marked-up version of this claim is attached hereto on a separate sheet.)

8. (Four times Amended) A rail track comprising at least one rail supported by a non-compressible, concrete base body, with the base body provided with a channel-like recess for receiving the rail such that a running surface of a head of the received rail lies free, with a bottom of the channel-like recess provided with a first layer of yielding material, wherein along its entire surface the first layer contacts the recess bottom and extends under a bearing surface of a foot at the bottom of the rail, with rail side surfaces between the running surface and the bearing surface of the rail, wherein each rail side surface is completely covered with a second layer of yielding material within the bounds of the recess, wherein stiffness provided in the horizontal direction by the second layer on each side surface is greater than stiffness provided in the vertical direction by the first layer, wherein the bottom of the channel-like recess fully supports the rail and wherein the first layer of yielding material and each of the second layers of yielding material are physically separate from one another.

REMARKS

Claims 8-12 and 14 remain in this application. Claim 8 has been amended, while claims 9-12 and 14 remain unchanged. No new subject matter is believed to have been added by this Amendment.

Please find enclosed with this Amendment a Petition for Extension of Time extending the time in which to file a response to the Notice of Appeal by one month from